Appl. No. 10/621,428 Amdt. dated September 28, 2005 Amendment under 37 CFR 1.116 Expedited Procedure Examining Group 1634

Amendments to the Claims:

This listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of Claims:

- 1-14. (Canceled)
- 15-17. (Canceled)
- 18. (Currently amended) A <u>kit comprising a plurality of fluorescence</u> resonance energy transfer (FRET) hybridization probes comprising:

a first <u>single-stranded</u> oligonucleotide carrying a FRET donor entity and at least one second entity, said second entity being a compound which is capable of quenching fluorescence of said FRET donor entity; and

a second <u>single-stranded</u> oligonucleotide carrying a FRET acceptor entity but not carrying a FRET donor entity.

- 19. (Currently Amended) The <u>kit plurality</u> of claim <u>18</u> 4, wherein the FRET donor entity and the second entity are carried on adjacent nucleotides of the first oligonucleotide.
- 20. (Currently Amended) A <u>kit comprising a set of 3</u> oligonucleotides, comprising a first oligonucleotide and a second oligonucleotide capable of acting as a pair of amplification primers for a template dependent nucleic acid amplification reaction, further characterized in that said first oligonucleotide and a third oligonucleotide are each labeled with one corresponding member of a FRET pair consisting of a FRET donor entity and a FRET acceptor entity,

wherein the oligonucleotide carrying the FRET donor entity <u>further carries</u> is earrying at least one second entity, said second entity being a compound which is capable of quenching fluorescence of said FRET donor entity; and

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wherein the oligonucleotide carrying the FRET acceptor entity does not carry a FRET donor entity.

- 21. (Currently Amended) The <u>kit set</u> of claim <u>20</u> 3, wherein FRET donor entity and the second entity are carried on adjacent nucleotides of the oligonucleotide carrying the FRET donor entity.
- 22. (Currently Amended) A composition comprising a nucleic acid sample and the first and second oligonucleotides a pair of hybridization probes according to claim 18 1 or a set of the 3 oligonucleotides according to claim 20 3.
- 23. (Currently Amended) A kit comprising a pair of hybridization probes according to claim 18 t or a set of the 3 oligonucleotides according to claim 20 3 and at least one other component selected from a group consisting of a nucleic acid amplification primer, a template dependent nucleic acid polymerase, at least one deoxynucleoside triphosphate and a buffer for template dependent nucleic acid amplification reaction.

24-31. (Canceled)

- 32. (Currently Amended) A <u>kit comprising a plurality of fluorescence</u> resonance energy transfer (FRET) hybridization probes comprising:
- a first <u>single-stranded</u> oligonucleotide carrying a FRET donor entity and a nitroindole moiety capable of quenching fluorescence of said FRET donor entity; and a second <u>single-stranded</u> oligonucleotide carrying a FRET acceptor entity.
 - 33. (Canceled)
- 34. (Currently Amended) The <u>kit plurality</u> of claim 32, wherein the FRET donor entity and the <u>nitroindole moiety</u> second entity are carried on adjacent nucleotides of the first oligonucleotide.

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35. (Currently Amended) A <u>kit comprising a set of 3</u> oligonucleotides, comprising a first oligonucleotide and a second oligonucleotide capable of acting as a pair of amplification primers for a template dependent nucleic acid amplification reaction, further characterized in that said first oligonucleotide and a third oligonucleotide are each labeled with one corresponding member of a FRET pair consisting of a FRET donor entity and a FRET acceptor entity,

wherein the oligonucleotide carrying the FRET donor entity <u>further carries</u> is earrying a nitroindole moiety capable of quenching fluorescence of said FRET donor entity.

- 36. (Canceled)
- 37. (Currently Amended) The <u>kit set</u> of claim 35, wherein FRET donor entity and the <u>nitroindole moiety</u> second entity are carried on adjacent nucleotides of the oligonucleotide carrying the FRET donor entity.
- 38. (Currently Amended) A composition comprising a nucleic acid sample and a pair of hybridization probes according to claim 32 33 or a set of the 3 oligonucleotides according to claim 35.
- 39. (Currently Amended) A kit comprising a pair of hybridization probes according to claim 32 33 or a set of the 3 oligonucleotides according to claim 35 and at least one other component selected from a group consisting of a nucleic acid amplification primer a template dependent nucleic acid polymerase, at least one deoxynucleoside triphosphate and a buffer for template dependent nucleic acid amplification reaction.